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AN INDEPENDENT JOURNAL, DEVOTED TO HAWAIIAN PROGRESS.

PUBLISHED AND EDITED BY HENRY M. WHITNEY.

WEDNESDAY, NOVEMBER 22 Supreme Court of the Hawaiian 1s-lands-October Term, 1876.

> PAAHANA es BILA Mesars Harris and Judd, J. J.

Orixinx av Juno, J. This is a submission under the Code in which it appears that on the 27th September, 1876, a piece of hand on Punch Bowl street, Hono-Hallate his wife; that on the 5th January, 1873. Kenzo died, leaving a will in which Haliata his ed two children, Pashum (the plaintiff). and Ninis are named : that Habuta and Ninia have since died, and that Huliata left by will all her property to Ikia (the defendant) her second

The court is asked in the submission to constructhe will of Kenno; the plaintiff, Pashana, claums that it left this property of Kenso's to the devisees named as bild tenants, and that on the decease of Haliata and Ninia the property vested in Panhana as the survivor; the udant claims that the will of Kenan left the etate to Huliuta in fee, with an estate for life in Pashana and Ninia, and that Ninia having died; by the will of Haliata the less is now in the defendant subject only to the life estate of Pashana

At the last term of this court when this subcolored was first presented, it was suggested to counsel, that the fact, which appears in the agreed statement, that the real estate, the subject matter of this controversy was conveyed to enso and Habita his wife, might be decisive will only and that the court is limited to this

Section 1140 of the Civil Code authorizes be the question of a civil action in the Supreme Court, to agree upon a case containing the facts upon which the controversy depends, and present a submission of the same, etc., etc. The quesparties to the submission in the property.

Now it seems to us that where the sobmis sion of "the facts of the case" discloses a fundamental question, decisive of the rights of the "parties to the question in difference," the court must consider it, notwithstanding it may not be the particular question which the parties have

In the submission before us it would be labor relessly expended for the court to construe the will of Kenao with the liability of being policed ha soon as the case would be brought) to the that no estate vested in Kemao capable of being designed by will. We consider, therefore, the the title of Kense to the property is fairly taland by the statement in the the premises "suce conveyed to Kenno and

In Washburn on Real Property p. 278, the action says "In consequence of the theoretic unity and entirety of the ownership of hashand and wife in respect to their interest in lands. where fand was conveyed to hold in common and not in joint tenancy, they were held to take an entirely of estate without regard to the intent They are not properly just tenants of such lands, since, though there is a right of survivorship, neither can convey so as to defeat this eight in the other. Each takes so entirely of the

(See also Schouler Dam. Rel p. 288.) The view that a conveyance of hand to bus-band and wife and their beins, wests the entierty s each of them and upon the death of one the Harris, 15, Wend, 615; Doe vs. Howland, S.

The death of Kenao rested the entire estate in Haliata the survivor, who is now represented by Bits the defendant, Pashana takes nothing by Kenao's will for there was nothing for him

Judgment for defendant, but costs to be paid by him, as he might have taken this position sarior and saved the plaintiff the expense of an Cars. C. Harris happening in Servia proves the necessity of the United States of Europe. Let the distinct governments be succeeded by the united peoples. Let us have done with the marderous empires.

A. FRANCIS JUDD. S. B. Dole, Esq., for plaintiff; C. Brown, Esq.,

Receisia, Nov. 2, 1876.

The Latest Aspect of the Bravo Case.

requires is a European nationality—one govern-ment, one immense fraternal arbitration. Democ-The excitement produced by the inquiry into the Brave passening case was much intensified raty at peace with itself, all the sister nations having for their city and capital Paris—that is Liberty, having Light as its capital—in one word, the United States of Europe. There is by the examination of the chief witnesses a few days previous to the verdict given by the jury. The public mind was shocked to learn the de the goal, there is the port. It was only truth yesterday; to day, thanks to the executioners of Servia, it is evidence. To the thinkers are lictions from moral duty on the part of Mrs. Bravo with Dr. Gully, and the declaration there-of which she had herself made to Mrs. Cox; added the assessing—the proof was given by the monsters. The future is a god drawn by tigers. but there was nevertheless some feeling of sympathy for her when with tears and anguish of mind she had to confess before a crowded court to repeated acts of criminality, and to answer some very pertinent questions which no doubt the learned coursel felt it imperative to make. In his opening address to the general German Parliament or Congress, Emperor William Then, when Dr. Gully was examined, a perfect furnity of interest was manifested in the daily gave the assembled dignities of the great empire reports. He came voluntarily, we are told, and control the court with " a smile." After being his views of the course that Germany should After being pursue in the present threatening condition of sworn, he admitted that the confessions of Mrs.
Bravo respecting the repeated acts of great
moral impropriety between himself and her were
too true; but stoutly denied that he had anything to do with the case of Mr. Bravo's death.
The evidence of these persons was followed by sworm, he admitted that the confessions of Mrs. The evidence of these persons was followed by the verdict: - We find that Charles Delauney ror, although he does not say so. And he as-sures them that his efforts shall be maintain Turner Brave did not commit suicide; that he eace, especially with his neighbors, and also

ded not meet with his death by misadventure; with all the powers—those connected with Ger-many by ties of neighborhood and history. Of course he refers to Austria and to Russia also. but that he was wilfally murdered by the adsufficient evidence to fix the guilt upon any par-ticular person or persons." The inquiry into the case being thus completed, the tongues of the the royal families of Germany and Russia being united by the ties of marriage. Alexander being the usphese of Emperor William. He gives them assurance that the lives and blood of the press have been united. Lenders have been written, and some dever letters continue to apsons of Germany will not be satrificed or risked, except for the protection of her own honor and interests. The question arises how far his Government might consider a war between Russia. pear, both on the evidence and the verdict. It seems plain that the deceased died from antimony poisson, and the question now to be determoned is, first, did the deceased administer the and Turkey as involving the honor and interests antimusy to himself? secondly, did he take it inadvertently? or, thirdly, was it administered to him by another person or other persons? Now, as quite certain to remain neutral if she became take the prus and cous of the evidence, and particularly that tendered by the friends, relatives, neutral if she became absolutely tuvolved to a war with the Turks. And Austria has promised and servants, it is plain that Mr. Bravo was a almost the same thing. She has promised not to interfere in case Russia should occupy Roumania. Thus left face to face with Torkey.

trathful, straightforward, and honorable man; it is therefore difficult for us to suppose that, having taken poison himself, he could entertain the idea of subjecting his wife, whom he seems to have tenderly loved, to the suspicion of foul piny. It is still further difficult to believe that such was his intention. after his repeated statements to the medical men, particularly to Dr. ohnson and Sir William Gull, that he had taken othing but a little landarium for his gume, and that he made this statement as a dring man who must soon stand before his Maker. Then, as to taking the poison inadvertently, he does not seem to have known that he had taken anything shout the rooms to show that it was possible to have taken anything instructently. All Mrs. Coz. Mrs. Brang, and Mr. Brookes (her solicitor), all of whom would be naturally in-

sider there is not the slightest doubt that the decessed was wilfully mandered, and sincerely trust that the guilty may be brought to justice. The police authorities, acting upon the verdict of the corners' jary, at Balham have issued a placard in the following terms: "Murder: allow Servian and other Christians in the following terms: "Murder: Silio Reward. Whereas, on the list of April. 1876. Charles Defancey Turner Bravo, of the Priory, Balham, deed from the effects of tartar emetic, and a corners' jary has raturned a verdict that the deceased was wilfally mardered, dot the corners' problem of the Rassian and other Christians in the Corners and they contains oppressed by the Turks. AND RESIDENTS OF HONO-CHURCH, vision Friends and Strongers generally are cordinary invised to anternous are held every Subbathat II would not have been wooderful had Russia snapped her fingers at diplomacy, and at once marched her armies into those provinces, proclaiming heres! the protector and the corners are left to the corners and the corners of the Rassian Sole Agents for Hawalan Lines Service and traditions of origin and race to the Rassian Sole Agents for Hawalan Lines Service and traditions of origin and race to the Rassian Sole Agents for Hawalan Lines Service and traditions of origin and race to the Rassian Sole Agents for Hawalan Lines Service and traditions of origin and race to the Rassian Sole Agents for Hawalan Lines Service and traditions of origin and race to the Rassian Sole Agents for Hawalan Lines Service and the Rassian Lines Service and Sole Agents for Hawalan L The police authorities, acting upon the verdict of the coroner's jary, at Balham have issued a placard in the following terms: "Morder:

terested in leading the jury up to a verdica of suicide; however, such leading failed. We con-

the above reward will be paid by Her Majesty's of those sorely oppressed relatives, by race and Government to any person who shall give such | coreligionists. oformation and evidence as shall lead to the as she has often been represented she discovery and conviction of the murderer or would not have waited for permission from murderers in this case, and the Secretary of Germany and Austria, for a disavowal of alliance merderers in this case, and the Secretary of Germany and Austria, for a disarowal of affiance State for the Home Department will advise the from Great Britain, for assurances of nontrality grant of Her Majesty's gracious pardon to any accomplice, not being the person who actually committed the murder, who shall give such eri-

dence as shall lead to a like resul The Assussination of Autlons.

It becomes necessary to call the attention of pursued by Russia is the best, in fact it is hu-mane, admits of doubt. While these diplomatic the European governments to a fact so small it rooms that the governments appear not to pernotes and "assurances of these high considers tions" are being sout back and forth between the sassonated. Where? In Europe? liss this act witnesses? One witness, the whole world. Do in the governments see it? No. The nations have being left to the mercy of the Tarkish cimeter, above them something which is below them-the which knows no mercy. Any one of the Great Powers might have said the word, and the war governments. Governments see nothing through the short-sightedness peculiar to them; while would have coased. But it really seems as if the human race looks on with another eye, the design is to let the Servious be completely deascience. We are about to astonish European pleted, and their fighting power destroyed, ere any Power proposes to step squarely in and put an end to the war, or else put an end to Turkey overaments by teaching them that crimes are government than for an individual to be an assassin; that Europe is solidair; that all that Servians have been fearfully defeated. Tehernay-happens in Europe is done by Europe; that if there exists a wild beast government it must be great panic existing in Belgrade. Unless some treated as a wild beast; that at the present mo- power intervenes soon Servia will lie abjectly nent, quite close by us, there under our eyes, people are massacring, burning, pilleging, exterinating, cutting the throats of lathers and mothers, selling the little gires and boys; that the children too small to be said are being cut in between Turkey and Servia is rendering the po-sition of Russia more difficult day by day. The two by the blow of a saber; that families are burnt in their bones; that one town-Batak, for example—has been reduced in a few hours from 2,000 inhabitants to 1,300; that the comeusi successes, and the Servian army has been cut in two before Djunis, and apparently so completely demoralized that it may be impossible to reorganize it for any effective purpose. The Russian policy of supplying volunteers by driblets has not proved a wise one, for not with teries are choked with more corpses than can be buried, so that to the living who have sent them carnage the dead send back the postilence, which s only fair. We teach the Governments of Europe this, that prognant women are being ripped open to kill the children in their womb; repped open to kill the children in their wemb; standing the desperate bravery exhibited by that in the public squares there are beaps of the these little bands they have been destroyed remains of women with the trace or this treatdiscourage the Servians. The latter are evidently heartily tired of fighting. They have long since had more than they wanted of comment; that dogs guaw in the streets the skulls of sutraged girls; that all this is horrible; that a of the rights of the purios in this case. But it is enough to prevent it, and the saveges who committee and the construction of Kenao's mit these crimes are testifying, and that the but with the Turk, and it may be doubted whemit these crimes are testifying, and that the ther anything short of the support of a Rassian civilized who let them commit them are appallarmy corps would be occorrect stimulate them to take and keep the field. The Servicus are probing. The time has come to ruse one's voice. ably beginning to perceive that they have been employed as cat's paws to pull the chesnuts out of the fire for Russia, and that the latter power The universal indignation is being aroused. There are hours when the human conscionce speaks and orders Governments to listen. The Governments stammer a reply. They have already is quite willing to use them up in the bu tried this stammer. They say it is exaggerated At present they have gone so far that they must perforce fall into the hands either of Russia or Yes, it is exaggerated. It was not in a few hours that the town of Batak was exterminated; Turkey. They have completely exhausted their it was in a few days. It is said 200 villages aggressive and defensive powers, and unless were burnt-there were only 99. What you call pestilence is only typins. All the women have Russia is prepared to step bodily in between them and the Porte, they must accept any terms that are offered. Whatever other power makes peer outraged; all the girls have not been capital out of this war it is certain that Servia will not, and that at least a generation must sold; a few have escaped. Prisoner have been mutilated, but their head have also been cut off, which lescens the thing. The infant said to chare been thrown from one pike to the other tion she held previous to her blind effort to secure her independence.—Size University are in reality, only placed on the point of one bayonet. Where there is one, you put two, you exaggerate the two, etc. And then why The Labor Question at Home and has this people revolted? Why do not a flock of men let themselves be owned like a herd of an mals? Why, etc.? This fashion of palliating in creases the harror. To quibole with public in-dignation, nothing more misscable. Let us call things by their name. To kill a man at the cur-ner of a wood called the forests of Bondy is a crime; to kill a people at the corner of that other wood called Diplomacy is a crime also—a greater one. That is all the difference. Does crime diminish in proporting to its enormity. Also, that is, indeed, an old law of history. Kill six mea, you are Troppman; kill 600 000, you are Court. To be monstrous is to be acceptable? Witness the St. Burth-lomew blessed by Rome.

the Dragounades glorified by Bassact, the 24 of December salated by Europe. But it is time that the old law is succeeded by the new law.

However black the night, the horizon must end by getting light. Yes, the night is black, we are

robibition to go further in crime we, the people,

Everything serves it, even crimes. What is

Let us muzzle the fanaticisms and despotisms

After its fashion, and just became it is horrible,

savagery testifies for civilization. What Europe

Russia's Vindication.

It looks as if Rassis may consider Germany

and no other formidable nation to make common

cause with the Mohammedan, Great Britain

having backed squarely out of her supposed alli-

left to see what Russia will do with Turkey.

Notwithstanding all the thousand charges made

by British writers and statesmen about Russian

ambition and determination to drive the Torks

out of Europe and to plant her own eagles to

piace of the Crescent along the Bardanelles and

Bosphorus; no accourt is she free to act than we see her Empéror calling his Ambassador to

Turkey to a conference with himself and advisors,

and then sending him back to Constantinople

to the Sultan. Never were misrepresentations

ance for peace or war with that power, we are

Abroad. English papers bewail the hard times, and

abound in reports of failures, stopping of facmeetings of Inborers out of work, disturbances and riots, the growth of the tramping class, and all the indications of poverty, privations and suffering with which the great cities of the United States have only recently become fami-har. The state of things abroad leads the New York Journal of Commerce to say that if Eogish emigrants have gone to their old homes with the expectation that they can earn a living more easily than here thay will soon discover their mistake. It is true that last month about one hundred stonecutters and masons left Nes York city for Scotland, having been engaged by contractors in that country to work on docks and large public buildings about to be erected at the rising of ghosts. After the Syllabus be. These men were promised steady occupation at bold the Koran. From one Bible to the other £2 2s, per week, which would be good pay in These men were promised steady occupation at people fraternize. Behind the Holy See stands Scotland. But this is the only instance in which the Sublime Porte. We are given the choice of workmen have left America on an engagement farkness, and seeing that Rome offered us its at living wages in any part of the British isles unaldie ages. Turkes has though proper to offer and it is probable will have occur again. The us hers. It is time there issues from civilization fundon papers will have but a short time to a peremptory prohibition to go further. This boast over the "returning tide of emigration, prohibition to go further in crime we, the people, Already there are gleams of improvement in

told, "you forget that there are questions!" To murder a mun is a crime, to murder a people is a A. W. PEIRCE & CO. question! Each government has its question. We reply, "Humanity also has its question in this. It is greater than India, England and Rus-Offer for Sale siz. It is the infant in its mother's womb. Let us supersede the political question by the human question. The whole future is there. Let us say it. The future, whatever is done, will exist. SHIP CHANDLERY

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THIS REMEDY WAS ORIGINALLY PREa stort and pentatic main, was stored with a soudent tack of general droper, which in a few days threatened s life. The ordinary remedies had all proved ineffice-ous, and under their use the patient was fast falling into alarming state. The dropey was general and extensive, a stelled to an emorphous size and the mace increasing polity. He was entirely unable to life shown in bed, and as forced to remain night and day in a sitting posture.

rapidly. He was entirely unable to the down in bed, and was forced to remain night and day in a sitting positive, fruis state of this gas continued until by the advice of the physician altotal to, the present remedy was tried. In propage it with great care, and in order to house this it was increasing to prepare it with great care, and in order to house this it was attracted to the family of Mr. Hout to procure and compound it.

The remedy was administered, and almost from the mannest of its reception a decided improvement became manifest. The kulturers were immediately affected and round to action: the availing of the less rapidly schooled, the inters were freed and remoned their healthy and provenable action; the death of limbs resourced the feather and greenable action; the death of limbs resourced the healthy alon unfortunately, prompted by this rapid improvement, ise gave up the remedy for a short line. It was unfortunate, for the carative process was arrested, the kilineys fragged in their action, again becoming maps, the discussed with frightful rapidly and he most against increased with frightful rapidly and he most against increased with frightful rapidly and he most against had recorde to a do for its persevering use the fibresse was a second time subdised. But they was meast agreed with a second with care and time or exchange the effects of the disease. But through a persevering use of it a permanent cure was effected, and be resumed his active out-of-door occupation, within a short line, a wait man.

This was the minner for which the Remedy was oproght into motion and minor then fire a period of everty five (25) years the minifer his was the mainter for which the Remedy was open for the process of the sent process.

Ti has been well and favorably known and extensively use sinced that time by all classes, both with and without the advice of psysteina, and has been the message as are from a linguistic and frightful discuss, and untimely deads many of our most estimable and well-known citizens.

HUNT'S REMEDY.

HUNT'S REMEDY. Has been before the public for more than twenty year and has been the means of saving from linguing as frightful disease and methody death bundleds of our mo-estimable and well known citizens.

more completely disproved than has been done by the course that pursued by Russia. There are those who wonder at the peaceshle character of Russian diplomony in her relations with Tarkey. The Christians in the Tarkish Provinces are of her own National Church in This Medicine was Never Known to Fail. Price \$1.50 per Bottle. BILLINGHAM & CO. Sole Agents for Hawalian Island their tenets, and they are closely related by the

F. T. LENEHAN & CO. WILDER & CO.,

Had she been as unscupulous.

from Italy and France, but would at once have

marched her armies across the border and occu-pied the Provinces which have been desolated by

the Turkish rule, and the infernal crimes of the Bashi-Ramouks.

Whether this apparently peaceable course

representatives of the believers in the Bible, and

in Europe. The latest telegram says that the

The Servian Reverses.

The delay in the negotiations for an armstice

Turkish arms have again been crowned with sig-

beneath the heel of the Turk.

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OR MAKE ADDITIONS, ALTERATIONS or repeate, will find it to their Interest to east with the moderapions of who will supply designs, continuous with the moderapions of the standard archifocute Econolishment, and guaranteed carbinates of Cost.

Econolishment, and guaranteed carbinates of Cost.

Excised works me to all departments sent to any part the Islanda.

SMALL CHAINS! SIZES FROM 1-4 To 1-2 INCH. IN QUAR-BOLLES & CO-

Importers and Dealers in

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BUILDING MATERIALS!

Nor'West Scantling, Boards! Tongood & Grooved, Surfaced,

Planks, Battens, Pickets! 15 in. x 4, 125, and 126, for Fencing!

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Seartling, Bounds, Plank, Bettens-la3, las, 1-3x3, and 1-3x2 Pinkets-Rough and Pancy. Surfaced Boards and Plank, 7-8 to 2 in.

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EASTERN WHITE PINE California and Eastern Doors, all sizes

SASH, all sizes; BLIND, all sizes; WHITE LEAD and ZINC! PAINT OIL & SMALL PAINT CHEAP. Putty and Varnish, Glass, No. 212 and 2,

Wall Paper and Border VERY LOW!

Paint and Whitewash Brushes, METALLIC AND FIRE-PROOF PAINT

For Plantation or any Other Use,

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Iron and Tinned Tacks,

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> Gunnell's Fine Perfumes. Velvet Stage and Carpets, Waterproof Clothing. BANNOME & NIMP

PARIS PLOUGHS! (made expressly for the Island trade.) Bum's Ale.

Blood, Wolfe & Co's Ale, Edmand's Pig Brand Porter, BOTCHE'S

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Lea & Perrin's Sauce,

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> BAWAHAN PLAGS. Piper, Plower Pote, Earthen-ware, Glass ware, Leather Belting.

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